

JUSTICE GOFF RUSHING TRIAL OF THE GUNMEN

Orders That Both Sides Be
Prepared to Sum Up Mon-
day in Order That He
May Charge Jury.

DEFENSE FORCES
HAND OF THE STATE

Webber and Vallon Must
Take Stand to Refute Tes-
timony of Accused
Men.

By International News Service.

NEW YORK, Nov. 15.—Monday night will bring with it the fate of the four gunmen charged with the murder of Herman Rosenthal.

Today witnessed the completion of the case for the defense. Tomorrow the state's witnesses in rebuttal will be heard. And Justice Goff ordered when adjournment was taken tonight that both sides be prepared to sum up on Monday in order that he may charge the jury and turn the case over to it by nightfall.

In this situation a curious, one might say a critical stage of the entire Rosenthal case has been reached. In the desperate fight which he has been making to save the lives of his four clients, Wahle, counsel for the defendants, has, for the first time, forced the state into a defensive position.

Jack Rose, "Bridgy" Webber, Harry Vallon and Sam Schepps have been granted immunity from prosecution for the murder of Rosenthal on condition that it be not shown that they participated in the actual killing—that they fired no shots.

Must Take the Stand.

For reasons of his own, the district attorney did not call Webber, Vallon and Schepps in the presentation of his main case. And the defense went on and built up their case on the testimony of half a dozen witnesses who swore that the actual shooting was done by Webber, Vallon and the mysterious stranger who has been referred to.

In consequence Webber and Vallon must take the witness stand tomorrow, nominally as witnesses against the accused gunmen, but in reality to refute the charge that they did the shooting, and save themselves from being forced to trial for murder. It is Wahle's plan in striving to create a reasonable doubt in the minds of the jurors, to argue that his clients are as worthy of belief as the men who accuse them.

Drama of Underworld.

The closing scenes in the presentation of the case of the defense were replete with all the picturesque incidents of the preceding days of the trial. With the exception of "Dago Frank"—who made a really excellent witness for himself—it was the day of the superlatives in this stirring drama of the underworld. Wahle dug deep down into the heart of the tangle and produced a cast of characters, including bartenders, gamblers, night hawk hackmen, news vendors, district messengers—all distinct types of the night life of New York.

Mrs. Louis Rosenberg, otherwise the wife of "Lefty Louie," played her brief part on the stand, telling of a visit of Jack Rose to her husband, and for a brief period the fortunate spectators present saw a grand assemblage of all the characters in the drama, saving Charles Becker and Herman Rosenthal. Schepps, Rose, Vallon and Webber were brought into court so that Giovanni Stanish might declare they were not among the men he saw with guns in their hands on the night of the shooting.

Society was represented on the occasion by Mrs. C. K. G. Billings, the

SURRENDER OF TURKS IS FIRST TERM OF PEACE

(Continued From Page One.)

destitution prevailing among the refugees in the neighborhood of Constantinople, which are calculated to provide a foothold for the spread of cholera, may have had something to do with Bulgaria's decision. From other points comes news of the occupation of the peninsula of Mount Athos by the Greeks and the march of the Greek army from Saloniki to join in the Serbian attack on Monastir.

This attack, according to a Belgrade dispatch, began yesterday with an encounter between Turkish and Serbian cavalry near the city of Monastir.

The Turkish government has issued a batch of dispatches signed by war correspondents of the Paris Temps and Journal L'Espresso, the Berlin Lokalanzeiger and Tageblatt, the London Mail and other European papers denying reports of atrocities alleged to have been committed by Turkish troops.

LONDON, Nov. 15.—A correspondent of the Morning Post with the Montenegrins describes an act of heroism by a priest who led the soldiers in battle when their commander was killed.

The priest, brandishing his cross like a banner, had reached the firing line when fresh and more furious volleys came from the Turkish column. He stood among the recumbent soldiers who continued to fire. Then he began to chant the hymn, "God Against the Infidel." He reached the lines which in English run "Tribulation shall not avail to bend the arm of the Lord," when his voice suddenly died away. He waved his arms about his head and fell on his face with a bullet through his heart.

PRIEST IS KILLED AT HEAD OF TROOPS

LONDON, Nov. 15.—A dispatch to the Morning Post from Constantinople says: "Kimal Pasha, the grand vizier, left the Russian embassy today and conferred with M. De Giers, the ambassador, on the subject of peace in the present of M. Poincaré, first dragon of the Bulgarian legion, who has been staying at the Russian embassy since the outbreak of the war."

The Russian ambassador demanded the surrender of the Turkish army at Tchatalja as a necessary condition to the cessation of the advance of the capital and allowed the Turks forty-eight hours in which to arrive at a decision. This period having elapsed and the port growing unworkable, the Russian ambassador, M. De Giers, arrived here tonight that Rosenthal was a general feeling in court at the close of the day that Clotif had an even chance to escape with a verdict of murder in the second degree. He was frank, earnest, direct and apparently sincere.

In direct examination his story followed the well-known lines. With the gold from several filled teeth, Clotif in the half light of the witness chair flashed every now and then a characteristic touch. He told of Jack Rose's effort to convince the "avenue boys"—they being Selig's gang—that he had not been responsible for the arrest of their leader, "Whitey" Lewis had accused him of this.

Had to Be Shown.

"I said to Frank," "Dago Frank" testified, "the boys is from Missouri and you got to show them. For myself I don't care."

Then, he said, was on the night that Rose called with Schepps and Vallon and carried the "Dago" to the Webber's poker parlor, whence all hands went around to the Metropole, where Rosenthal met his death.

The witness testified that Rose asked him to go down town that night and meet Steinert and White of the strong arm squad and learn from them the Webber's arrest. Rose, he said, was very nervous. He denied that he had a revolver that night or that anything had been said to him about killing Rosenthal, whose name was not even mentioned. He denied that he had ever seen Rosenthal.

Admitted Prison Term.

It was on cross-examination that he showed to best advantage. He admitted having been sent to Elmira for being found with a gun and a slugsheet on his person. That, he swears, was the only time he has been sent to prison. But he frankly admitted having been a silent partner with Ahe Harris in an opium parlor uptown. He admitted also never having been married but denied that Jean Gordon supported him. He claimed to have been at her flat when the shooting took place. The girl had been arrested and it was while he was out trying to secure bail for her that he heard that Herman Rosenthal had been killed.

"You knew that your friends had been in a shooting in Forty-third street," said Mr. Moss. "Why didn't you wake up the boys when you got home and tell them about it?"

"I didn't interest me," replied "Dago Frank."

Justice Goff next put a series of questions but the witness deftly sidestepped every attempt to implicate him in any feature of the shooting of the gambler or any guilty knowledge of the crime. He left the stand smiling and then there followed a procession of tenderloin habitués, each of whom added his or her bit of testimony.

desto, a port on the sea of Marmora held by the Bulgarians, is in flames and that Turkish cruisers are bombarding all along the coast, but to no useful purpose."

The Daily Telegraph's Balkan correspondent, under Thursday's date says: "The crown prince, who left here yesterday to rejoin the Serbian army before Monastir, arrived at Prilut this afternoon. The prince received an enthusiastic welcome from the inhabitants of the city, who greeted the road with flowers."

News of the battle of Monastir is eagerly awaited here, as it should finish the war in Macedonia.

TURKS WILLING TO SEEK HOME IN ASIA

LONDON, Nov. 15.—Telegraphing from Constantinople, Tuesday, by way of Kustendje, Rumana, the Daily Telegraph's correspondent says: "I am leaving for the Tchatalja line to witness the stages of the progress of Turkey's graceful exit from Europe after five centuries of misrule, persecution, wasted opportunities and commercial stagnation."

"European Turkey, including even Rumelia, is regarded as hopelessly lost and the only emotion of which the Turkish character is capable is that of shedding a few wild tears over the possibility of losing even a portion of the Balkan peninsula. For the rest, life proceeds as usual."

"Whatever Europe may arrange in distributing the spoils in European Turkey will not affect the Ottoman population who already have made their own plans for the future. This great exodus from Europe is the temporary move of a mass of civilized people to the ravages of war, but a general return of a people to the land whence they sprung."

"We will never return to Europe; we have had enough of constant wars, massacres, disturbances, extortion and ruin. We only seek where we can dwell in peace."

"All the reports from the front show that the Turkish army is disorganized to such an extent that it is now an open secret that members of the extreme military party have given in and are unwilling to fight."

"The Bulgarian advance necessarily has been slow, as the line has been destroyed. The enemy is preparing for his final move with customary care and precision, so that when the blow falls it will crush once for all the feeble remnants of the Turkish army in Thrace."

BULGARIANS FLANK THE TURKISH RIGHT

LONDON, Nov. 15.—The announcement that the Bulgarians had reached the vicinity of Kilos lifts a corner of the veil which has been baffling observers for some days regarding their movements, and shows that they have managed to creep around the flank, which is known as the forest of Belgrade, on the outskirts of Constantinople.

They are now in close proximity to Therapia, the summer resort of the residents of Constantinople. From Therapia a good road leads to within a few miles of Kilos. There is a strongly defended fort at Kilos, but this was constructed to defend the place from attack by sea and may be open to assault on the land side.

Kilos is only three miles to the west of Cape Rumeli, at the Black sea entrance to the Bosphorus, about six miles north of Therapia. The rush of the Bulgarian troops seems to demonstrate that General Savaoff, the Bulgarian commander in chief, is not wholly depending on a frontal attack on the line of fortifications at Tchatalja.

Fatal to Ottoman Army.

If a strong Bulgarian force is already at Kilos, the flank of the Turkish army, the fate of the Ottoman troops cannot, in military opinion, remain long in doubt if the Bulgarian troops decide to enter the capital before a definite armistice is agreed to.

That an early peace is assured is accepted as a foregone conclusion, but whether it will be brought about before or after the surrender of Constantinople is probably known only to King Ferdinand of Bulgaria and his advisers.

No official news has leaked out as to the course the Bulgarian-Turkish negotiations are taking. If it is true, as announced in Berlin, that Osman Nazim Pasha, the Ottoman ambassador there, has been appointed first Turkish delegate to a Bulgarian-Turkish peace conference, it would appear that they are making good progress.

Montenegrin Firebrand.

The differences between Austria-Hungary and Serbia evidently are in a fair way toward settlement, but Montenegrin, who jumped into the war ahead of its allies, seems loath to relinquish any of the spoils gained in the fighting. The peremptory rejection by the Austrian and Italian intervention is causing some concern to the European powers, who are anxious for an immediate cessation of hostilities, and today comes a further report that King Nicholas has informed the Bulgarian government that he will not agree to an armistice unless the Turkish troops evacuate the fortress of Scutari.

The ministers of European powers communicated to the Greek government at Athens today the port's request that the Greek foreign minister expressed his thanks and gave the same reply as his Bulgarian colleague had done, namely, that a final response would be forthcoming after an agreement had been reached by the Balkan allies.

Claims Common Cause.

DUBLIN, Nov. 15.—In a letter to a Dublin correspondent, in which he likens the Montenegrins to the Irish, King Nicholas of Montenegro says: "Irishmen and Montenegrins have a common standard of life—love of liberty and Christian faith. Gladstone was a great champion of the sacred cause of the Balkan people and would have been glad to see both nations marching on the same royal path and the Balkan alliance fighting for the same ideals as your noble country."

Turks Report Victory.

CONSTANTINOPLE, Nov. 15.—An official statement issued in progress on the basis of a telegram received from the Turkish commander at Scutari reports a defeat of the Montenegrin troops in the vicinity of Scutari. The commander's telegram says:

"We have beaten seven battalions of Montenegrins who were advancing on the heights of Kakark. The enemy fled beyond the Boyana river, abandoning 100 of their dead, many rifles and a quantity of baggage belonging to General Tchekovitch and his tent, sword and uniform."

infamous charges that the Ottoman troops have been guilty of massacres, pillage and other excesses.

The denial is supported by statements of seven war correspondents who say they saw nothing of this character, but on the contrary everywhere the Turkish troops displayed extreme moderation in their dealings with Christian non-combatants.

Must Have Scutari.

PARIS, Nov. 15.—An official note issued tonight says the ministers of the powers have approached the various Balkan states with a view to mediation and that the foreign ministers of the allies replied that they would refer the suggestion to their governments. The Montenegrin foreign minister added that his government considered itself unable to consent to an armistice except on condition that the Turks surrender Scutari.

Depends on Turkey.

SOFIA, Nov. 15.—The government organ, Miro, says: "Yesterday we wrote that the war had ended. Today we might add that we are on the point of having a Balkan league. This is the best way for making a lasting peace. The war has cleared away all difficulties and it now depends on Turkey alone to arrive at a beneficial peace. The Balkan states are in a position to understand between the Balkan union and Turkey."

Cholera Spreading.

WASHINGTON, Nov. 15.—Embassador Rockwell reported to the state department that cholera is spreading in the Balkans. He said that the American missionaries in the Balkans are absolutely quiet. He says cholera is spreading. No fears are felt here for the American missionaries in the Balkans. The Balkan states are in a position to understand between the Balkan union and Turkey."

Artillery Duel Raging.

VIENNA, Nov. 15.—The correspondent of the Neue Presse telegraphs his Balkan column:

"North of the Tchatalja line Macedonian volunteers have captured the town of Debrana and are besieging Ali Pasha and his army. In the center the Bulgarians have succeeded in capturing various positions and in breaking through the chain of defenses. An artillery duel is raging."

"The entire battle line is about fifteen miles long.

"The losses are enormous, especially on the Turkish side. As the troops driven back in disorder are fleeing down the Turkish side of the heights, they are pursued by the Bulgarians, who pour a pitiless artillery fire into them."

Greeks Take Island.

ATHENS, Nov. 15.—The commander of the Greek fleet reports that boat parties from his ships have landed in the gulf of Monte Santo and occupied Mulyani island and the port of Dafni on the Athos peninsula near Kalamari. Mulyani island and at Dafni there are monasteries in which are 10,000 monks.

The Greek fleet, commanded by the Queen Olga on board and escorted by twenty-seven Greek merchant vessels, arrived at Saloniki Wednesday and were met by the foreign warships in the harbor.

Discusses Armistice.

SOFIA, Bulgaria, Nov. 15.—The Turkish request for an armistice addressed to King Ferdinand, was discussed today by the Bulgarian council of ministers.

It was decided to reply that the Bulgarian government would inform the other nations of the Balkan alliance of the step taken by Turkey and would give its reply as soon as the matter came to an agreement with them.

After the allies have consulted it is believed the negotiations for an armistice will be carried on by the commanding generals of the opposing armies purely from a military point of view.

"The negotiations can begin only after the Turkish army has accepted the terms laid down by the Bulgarians that in the meantime no further reinforcements or reinforcements be brought into the field of operations."

Turks Surrender.

BELGRADE, Serbia, Nov. 15.—Another Turkish force hoisted the white flag and surrendered to the Serbian cavalry near Western Serbia yesterday.

The Serbians attacked the Ottoman troops at Debrana, about five miles to the north of Debrana, about six miles north of Therapia. The rush of the Bulgarian troops seems to demonstrate that General Savaoff, the Bulgarian commander in chief, is not wholly depending on a frontal attack on the line of fortifications at Tchatalja.

Bulgars at Kilos.

CONSTANTINOPLE, Nov. 15.—Bulgarian troops have reached the vicinity of Kilos on the Black sea coast at the entrance to the Bosphorus and within a few miles of the capital. The men belonging to the Turkish lifeboat station have left.

Leave Saloniki.

ATHENS, Nov. 15.—Twelve thousand men of the Bulgarian army, which recently reached Saloniki after the city and surrounding area had been left by the Turkish army, are now being sent to the front.

Greeks Off for Monastir.

ATHENS, Nov. 15.—The Greek army commander, General Crown Prince Constantine, left Saloniki today and is proceeding to Monastir. The Serbian troops have succeeded in practically surrounding that city where it is believed a large Turkish army is concentrated.

FIRE DESTROYS PART OF TOWER CITY, N. D.

FARGO, N. D., Nov. 15.—Fire early today destroyed a large part of the business portion of the village of Tower City, twenty miles west of here. The fire, which started after midnight in a hardware store, spread to other buildings in the same block, burning out the First National bank building, a hardware store, a millinery store, a meat market, a residence and several small buildings. The amount of the loss is not yet known.

Steamer Wrecked.

BUENOS AIRES, Nov. 15.—The steamer Oravia has been wrecked in the Falkland islands, off the coast of Argentina, according to a wireless dispatch today from Admiral Garcia, on board the Argentine cruiser Almirante Brown. The admiral reports that all the passengers and the crew were saved.

The Oravia, a steamer of 5574 tons, belongs to the Pacific Steam Navigation company of Liverpool. She was built in 1897. The Oravia left Liverpool October 17 for Callao.

Follow the Crowd

If you want courteous treatment, first-class groceries and reasonable prices.

Sugar \$5.90 per Sack
OR 16 POUNDS \$1.00

T.H. NOTT

"THE CASH GROCER."
41-43 RICHARDS STREET
PHONE WASATCH 3538.

New Walnuts, per lb. 20c
New Raisins, per pkg. 10c
New Corn and Peas, per can. 10c
Woods Cross Tomatoes, per can. 10c

PROBABLY WORK OF RELIGIOUS MANIAC

Theory of Chicago Detectives
in Case of Woman Fatally
Beaten by Unknown.

CHICAGO, Nov. 15.—Detectives departed for Detroit today on the trail of "George Remme," believed to have been the companion of a woman who was probably fatally beaten in a room at the Saratoga hotel last night. The police departments of several Michigan towns were notified to be on the lookout for "Remme." He is described as being about 40 years old and weighs about 200 pounds.

The police description of the victim sent to other cities was:

"About 45 to 50 years; five feet six inches tall; weight 135 to 145 pounds; blue eyes, brown hair, mixed with gray; prominent nose, large nostrils; two teeth in upper left jaw missing; eye teeth in upper right jaw and several back teeth missing; smooth face and high cheek bones; hands soft and freckled."

Among the articles in the room where the woman was found was a Bible with a number of marked passages, which were given close scrutiny by the detectives. Among them were "And thine eye shall not pity, but life shall go for life, eye for eye, tooth for tooth, hand for hand, foot for foot."

On the floor of the Bible were the words, "If you love the Lord read marked passages in Numbers and Deuteronomy, also Leviticus, Guest." Detectives found the following marked verse:

"Now, therefore, kill every male among the little ones and kill every woman that hath known man."

Other passages touching on violence were marked in the Bible and all were noted by the detective on the theory that the assailant may have been a religious maniac.

OBTAINED CASH WITH MUCH EASE

Evidence Presented Showing the Methods Employed by "Barney" O'Neil to Raise Cash.

COEUR D'ALENE, Ida., Nov. 15.—Testimony offered today in the trial of Bernard F. O'Neil, former president of the defunct State Bank of Commerce at Wallace, Ida., tended to show the great ease with which O'Neil got money when he wanted it.

When, according to the testimony, he owed the bank \$70,000, evidence today showed that he borrowed \$25,000 more from Edward T. Cowan, president of the Exchange National bank of Spokane, on a written statement showing assets amounting to over \$700,000.

Harry Allen of Wallace testified that an overdraft he made for \$328, and his note covering it, never were recorded in the bank, but the state showed that such a note had been put on the books and "paid" by O'Neil charging it to his own account.

The prosecution announced that it would show O'Neil augmented his account by crediting it with other notes introduced today, which the state contends were forged, and that he realized some \$40,000 this way.

William L. Cook, who was postmaster at Neihart, Mont., writes: "I recommend Foley's Honey and Tar Compound to all my people, and they are never disappointed with it. Foley's Honey and Tar Compound for coughs and colds gives the best possible results."

STEAMER WRECKED

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FEDERALS DRIVEN ACROSS THE BORDER

Madero's Men Beaten by Salazar; Four Under Arrest at Hatchita, New Mexico.

EL PASO, Nov. 15.—Four Mexican federal soldiers are held by United States troops at Hatchita, N. M., subject to orders from the war department, says a report received today by General E. Z. Steever at Fort Bliss. They fled across the river after their fellows were routed by a band of rebels at Colonia Fernandez, just below the New Mexico line.

The refugees, who crossed into the United States with their rifles, report that a small detachment of federals met a band of rebels under Col. Inez Salazar and after a sharp skirmish the government troops were dispersed.

Rebels today became so bold as to smuggle several boxes of ammunition into Juarez, the border town threatened by attack. The cases were discovered by federal troops concealed in a wagon of hay on the public plaza. The secret service has advised that unarmed rebels ready to leave have been crossing from El Paso to the Mexican town.

The reported arrest at Albuquerque of Jose Cordova, secretary general to the revolution, has been arrested here, is denied by the United States marshal. Cordova has been in town several days.

TELLS DRAMATIC STORY ON STAND

Mrs. Margaret L. Kirby Gives Inside Facts as to Her Husband's Banking Business.

CHICAGO, Nov. 15.—Mrs. Margaret L. Kirby, wife of the president of the defunct Kirby Savings bank, today in the federal court related an involved story of banking and gambling which reached a point of dramatic intensity late this afternoon when two suspected swindlers were brought before Mrs. Kirby for identification.

The expected denouement failed when Mrs. Kirby could not identify the two men whom she had charged with swindling her husband out of \$60,000, through the wire-tapping scheme.

Throughout the day a crowd jammed Judge Landis's court to hear the woman's confession, every sentence of which further implicated her husband in the failure of his private savings bank. She said she trustingly made bank deposits under fictitious names under her husband's orders.

In simple narrative style she told of wide night rides in taxicabs when she carried from \$10,000 to \$20,000 in a small bag, hurrying to Kirby that he might have more funds with which to plunge into the fake wire-tapping scheme.

Mrs. Kirby said today that she was almost penniless, having turned over even her jewelry to her mother to obtain money with which to employ counsel.

CUMMINS MUST SERVE HIS PRISON SENTENCE

NEW YORK, Nov. 15.—The appellate division ruled today that William J. Cummins, a director in the Carnegie Trust company at the time of its failure and also interested in the subordinate banks involved in the crash, must serve the term in Sing Sing prison imposed upon him by the supreme court. He was convicted of larceny in the first degree for the appropriation of the proceeds of four checks on the Nineteenth Ward bank, made payable to the Carnegie Trust company, and sentenced to serve not less than four years and eight months and not more than eight years and eight months.



Auto Glove

Wool and fur lined extensive range sizes, styles and prices. Frozen fingers and comfort do not rub in the same car.

W.E. Life Co.
170 SOUTH MAIN

RATIFICATIONS OF TREATY EXCHANGE

Dispute of North Atlantic Fisheries Settled by Great Britain and United States.

WASHINGTON, Nov. 15.—The Knox and Embassador Bryce today changed ratifications of the treaty between Great Britain and the United States of the North Atlantic fisheries controversy. The convention passed upon the reasonableness of the British and Canadian and Newfoundland fisheries and regulations.

One of the questions settled by the fisheries treaty was that neither Britain nor its colonies may regulate American fishermen, claiming their treaty rights in the territorial waters of Newfoundland and unless such regulations are held reasonable by an imperial tribunal, the United States can be sole judge of the regulations.

The fishermen will know before beginning of each season just what regulations will be in force that season, putting to an end the former practice of the Newfoundland coast of imposing regulations on short notice or any notice. The results secured in the chief conventions of the United States in the arbitration.

The Smoke Inspector

Would soon be out of a job if the coal consumers used Hawk Coal.

"Clean As A Whistle."

WESTERN FUEL

W. J. Wolstenholme, Managing Director
Arthur McFarlane, Secretary
AGENTS FOR
KING, HIAWATHA, BLACK HAWK
Phonics, Wasatch 719. Office, 71 S. Blue Wagons Bring Better

OVERCOAT TIME For Boys

Our Overcoats and Suits contain all the quality and lasting style and are built for sturdiness and strenuous life.

There's no fault about our clothes for boys.

For High School fellows a most beautiful choice of patterns in chin-chillas, worsteds, chevots and kerseys; automobile, shawl and convertible collars; 10 to 16 years, \$4 to \$20.

Children's suits and overcoats in beautiful patterns and styles; \$2.50 to \$10.

SLIP-ONS, just like those for older people; just what he needs for rainy days to and from school and just the right weight for those days not too cold; 6 to 18 years, \$5 to \$10.

HOLLAND BOY GUARANTEED SHOES, complete new stock just arrived, made for heavy wear, extra heavy white oak soles, Goodyear welt, wax calf uppers, button or blucher; sizes 9 to 13½, \$2.25. Sizes 1 to 5½, \$2.75.

Underwear, any and all kinds, from 50c per suit up. Sweaters and sweater coats, jerseys and shawl collars, \$1 to \$3. Caps, fur lined ear laps; all the boys want one; 50c.

Guaranteed hose, four pairs guaranteed four months, \$1. Sweater suits for little fellows.

Xmas novelties